

Message Text

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PAGE 01 STATE 047205

64

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C O N F I D E N T I A L STATE 047205

E.O. 11652: GDS

TAGS: MARR, MASS, TU

SUBJECT: TURKISH BASE NEGOTIATIONS - ARTICLE XXII TERMINATION

REF: (A) DELABARRE-YATES TELCON, (B) STATE 36594,
(C) ANKARA 1050, (D) ANKARA 919, PARA 9

1. BRACKETED TURKISH LANGUAGE FOR PARA 5 A OF ARTICLE XXII REGARDING APPLICATION OF AGREEMENT AND ITS ANNEXES, "FOR PURPOSES OF WITHDRAWAL AND LIQUIDATION", OFFERS GOT OPPORTUNITY DURING WITHDRAWAL PERIOD TO ARBITRARILY RESTRICT US COMMUNICATIONS, SUPPORT FUNCTIONS, SOFA-RELATED PRIVILEGES, AND COMMAND AND CONTROL RELATIONSHIPS.
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PAGE 02 STATE 047205

THESE RESTRICTIONS COULD AMOUNT TO A NEW "PROVISIONAL

STATUS", IMPOSED BY TURKEY DURING A WITHDRAWAL PERIOD, BASED ON THE THEORY THAT MOST DCA PROVISIONS ARE NOT STRICTLY NECESSARY FOR WITHDRAWAL AND LIQUIDATION.

2. AT THE SAME TIME, WE RECOGNIZE THAT BRACKETED US LANGUAGE, "THIS AGREEMENT AND ITS ANNEXES SHALL BE CONSIDERED TO REMAIN IN FORCE PENDING COMPLETION OF WITHDRAWAL", MAY BE UNACCEPTABLE TO TURKS BECAUSE IT COULD BE CONSTRUED TO ALLOW CONTINUATION OF INTELLIGENCE COLLECTION OPERATIONS AFTER THE EFFECTIVE DATE OF TERMINATION

OF US ASSISTANCE AND THE AGREEMENT.

3. GIVEN THIS SITUATION, IT WOULD BE HELPFUL IF EMBASSY COULD EXPLORE WITH TURKS POSSIBILITY OF RECASTING PARA 5 A LANGUAGE TO MEET TURKISH CONCERNS WHILE PROVIDING NEEDED PROTECTION TO ALLOW ORDERLY US WITHDRAWAL. WE MIGHT, FOR EXAMPLE, RETAIN BRACKETED US LANGUAGE AND ADD SECOND SENTENCE, STATING THAT THE PRIMARY MISSIONS OF THE INTELLIGENCE GATHERING INSTALLATIONS AS SHOWN IN THE ANNEXES SHALL BE DISCONTINUED ON THE EFFECTIVE DATE OF TERMINATION OF THE AGREEMENT.

4. LANGUAGE PROVIDED IN PARA 3 REF B FOR SECOND SENTENCE PARA 5 B OF ARTICLE XXII WAS INTENDED TO REPLACE ALL BRACKETED LANGUAGE, US AND TURKISH, FOR THAT SENTENCE SET FORTH REF C. ACCEPTABILITY OF REFERENCES TO OTHER PARAGRAPHS OF ARTICLE XXII BY TURKS IN THEIR LANGUAGE FOR FIRST SENTENCE PARA 5 B WILL BE ADDRESSED SEPTTEL.

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